The OEconomy of the Sexes.

OR THE

DOCTRINE of DIVORCE,

THE

PLURALITY of WIVES,

AND THE

VOW of CELEBACY

Freely examined.

The miſtakes of ſome celebrated proteſtant writers laid open:

AND

A more conſiſtent view taken of the operation of the matrimonial law, in the ſenſe both of the *Jew* and of the *Chriſtian* law-giver.

With obſervations moral and political.

Si omnes omnium fuerint & mariti, & patres, & uxores, & liberi, quæ iſta confuſio generis humani eſt?

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MDCCLI.

[Price One Shilling.]

MVSEVM
BRITAN
NICVM

ADVERTISEMENT.

THE ſubject requires delicacy, and is canvaſſed in a ſtudied purity of ſtyle and expreſſion. the pages are devoted to the chaſte rights of the fair; and with more ſafety invite her eye than the novel, the play, or the love-poem.

The ſenſe given of the Moſaic *permiſſion of divorce, is* new; *but appears to have leſs inconveniencies and fewer difficulties, than what load the current opinions.*

The generous reader will take no offence at the nameleſs *citations; becauſe the argument is uninjured, and there are reaſons for thoſe negligences.*

Another concealment, the peculiarities of the ſubject apologize for, and that is, of the author's name. *indeed none ought to complain of this, if the tract affords him pleaſure; if not, the knowledge of the pen would make ſmall amends for the diſappointment.*

The importance of the matrimonial law is infinite; becauſe it adjuſts the moſt intimate and intereſting ſociety of man. we are told, "that in antient Rome *an altar was dedicated to* Juno Juga, *where the new married couple did offer ſacrifice. that they took from the ſacrificed beaſt the* gall, *and caſt it behind the altar, to ſignify that all bitterneſs ſhould be baniſhed the conjugal ſociety."—*

The

The poetic fable of Hermaphrodite, *ſon of* Mercury, *by his ſiſter* Venus, *is thought to teach the union there ſhould be between married perſons. the violations of this law, common with* Britons, *melt the human eye that can weep over the dying virtue of his country! with* Horace *he ſees,* foecunda culpae ſecula nuptias primùm inquinavere, et genus, et domos. hoc fonte derivata clades in patriam, populumque fluxit.— *whether the legiſlature or the* ſtateſman *will conſult or not the means of remedy; ſuch is the condition of the public, and, unreformed, its ruin is inevitable.*

CHAP.

CHAP. I.

Of Divorce.

THAT moſt celebrated, as well as moſt antient hiſtorian, *Moſes*, having mentioned man, created by God male and female, thus deſcribes the bleſſing of their maker upon them,—be *fruitful, and multiply, and repleniſh the earth*, and ſubdue, or keep up and preſerve a regular ſubjection, and ſubordination.—It cannot then be ſuppoſed, that man, who was to govern and preſerve order on this globe, ſhould himſelf be unobſervant of rule; contrariwiſe, this, the very condition of the firſt pair exhibits, *viz.* a ſingle intercourſe.

The freedom which men have taken with the laws of nature, are many; not only in the preſent view we have of the world, but in the very diſtant retroſpect which hiſtory affords. Yet, there have not been any good and great men under the goſpel diſpenſation, who could defend fornication, or adultery. nevertheleſs, from prejudices of ſome kind, even a *Milton*, *Burnet*, *Locke*, and others, have defended divorce. humour or diſguſt did ſurely provoke the pen of *Milton:* diſagreeable temper in a yoke-fellow. hence he, with others, have been tempted to affirm, 'that unleſs the wife be found affable and courteous, every way ſuitable to their genius and

diſpoſition, ſhe is to be diſcarded." not duly conſidering what quantity of neglect or faulty conduct from themſelves may have given offence, and occaſioned the diſagreeable, of which they complain. *e. g.* " may it not be preſumed that the great *Milton* had obſerved, examined and approved the natural temper of the woman he deſigned to make his wife? he ſurely found ſo much of the pleaſing and agreeable as to determine his choice. but after marriage, it is very likely his own philoſophical and ſtudious turn of mind occaſioned that behaviour towards her which created the diſlike. ſhe was not formed to be the companion of his ſeverer ſtudies; tho' qualified to compoſe his cares; and by the inſtitution of her ſex, a proper companion of ſuitable engagements in the ſphere of her ability and ſervice." *

Probably this was the caſe with that ſurprizing genius. I the rather mentioned it, becauſe others have thought, " that croſſneſs of humour, alters the obligation to what it was with *Adam*."—but how is the obligation hereby altered? was not *Eve* firſt in the tranſgreſſion? and did ſhe not influence her huſband to a participation?—This is not ſaid to apologize for perverſe temper or diſobliging behaviour in any wife: for every one's deſire ſhould be to her huſband. her ſtudy ſhould be to make him happy, who is to rule over her. The obſervation then only ſuggeſts, that or-

* To adopt the reaſoning of *Puffendorff*, of the Law, &c. Book vi. c. 1. ſ. 24.

dinarily

dinarily there is a defect in the condeſcenſions and conjugal tenderneſſes of the huſband, when the wife's averſions run high, and are immoveable. for ſurely that woman muſt be a monſter in nature, who can hate her own fleſh, under all the ties of conjugal reſpect.

Such inſtances are poſſible indeed; but then they are ſpecial, and ſo not ſufficient to ground a law upon. they are very hard and difficult to be ſupported under; but cannot deſtroy our Lord's ſenſe of the inſtitution, *viz.* that nothing ſhort of defiling the marriage bed, can legally diſſolve the contract.

Thoſe laws which relate to alienable property, are confeſſedly plain and eaſy to be underſtood. which *Seneca* ſaw, when he ſaid, "whatever contributes to the improving of our virtue, or of our happineſs, nature has taken care either to lay directly before us, or at a very eaſy diſtance for our ſearch." can it then be thought, that the law which concerns bodily property, and on the regulation of which, the improvement both of our virtue and happineſs very much depend, ſhould be obſcure or doubtful?

Biſhop *Patrick* well ſais, "the firſt peopling of the world is only ſuppoſed, [in the Moſaic account,] but not related."—however, the longævity of men in the beginning, is agreeable to the relation of one firſt pair, from whom all deſcended. this ſeemed requiſite to the neceſſary encreaſe of the ſpecies. and altho' remote obſervers may, with difficulty, now think of the firſt intercourſe, between

children of the ſame venter, as it has the idea of inceſt; yet, it ſhould appear needful in the primitive ſtate of man: and even the firſt couple had the moſt intimate relation.—for the woman was made, or her body formed out of the body of the man. if then, we only correct the imagery, by ſuppoſing the appetite more regular, and its intention more virtuouſly attended to, than in after-ages; what otherwiſe would be offenſive, will vaniſh, and become reconciled to ſober reflection. *Inceſt*, as a criminal alliance, became ſo from the changed circumſtances of human ſociety: when it was found highly uſeful to blend and intermingle the intereſts of families, and, as it were, to throw the ſtrong affection and ſympathy into one common ſtock. this ſeems to have been the reaſon of the canon-law, which prohibits marriage, within ſuch lines of conſanguinity. This canon availing ſociety of advantage, we are from infancy taught to deteſt the prohibited alliance, which diſlike grows into a kind of natural judgment. whereas in the priſtine condition of man, there was nothing unnatural in ſuch conjugal ſociety.

The principal things ſaid in favour of *divorce*, ſhall be diſtinctly examined.

It has been ſaid, "*propagation is the firſt end of marriage; but if a woman is merely capable of conjugal intercourſe, ſhe is not fit for marriage.*"

Such capacity in the woman, has ever been eſteemed a valid reaſon and juſt ground of marriage, excluſive of propagation or fruitfulneſs.

neſs. * and it is reaſonable it ſhould be ſo; becauſe *children are the heritage of the Lord, and the fruit of the womb his reward.* † for this reaſon, *Jacob* ſaid to *Rachel*, [when ſhe complained,] *am I in God's ſtead, who hath withheld from thee the fruit of the womb?* ‖ God alone can make fruitful; for he tells *Abram, that he would make him exceeding fruitful.* § And *Iſaac* prays over *Jacob, that God almighty would make him fruitful.* ** thus certain is it, that man, in the earlieſt ages of the world, underſtood the fruit of *the womb, to be God's reward.* the very language of the mother of all living, *I have gotten a man from the Lord.* †† Every man, who taketh a wife, may, and ought to know, that fruitfulneſs is not at her pleaſure, or in her power; and therefore the capacity of intercourſe is all he is to expect from her, relative to propagation; which being found, conſummates the contract.

This very capacity, exerciſed within the laws of chaſtity, confirms and eſtabliſhes an union of affection, as well as of perſon; it naturally produceth a mutual endearment. to call this, by any term of obſcenity, is abuſive, and unworthy a venerable pen. St. *Paul* ſtiles it, *due benevolence*; which imports a gracefulneſs in the conjugal embraces not to be refuſed, unleſs in extraordinary caſes. ‖‖—Vain minds,

* Pure virginity is a very valuable poſſeſſion, and as it were the common portion which nature gives her daughters. *Puffend.* law, &c. B. iii. c. 1. ſ. x. † Pſ. cxxvii. 3. ‖ Gen. xxx. 2. § Ch. xvii. 6. ** Ch. xxviii. 3. †† Ch. iv. 1. ‖‖ 1 Cor. vii. 3, 5.

full

full of levity, may treat the ſubject with as much wantonneſs, as they do their own bodies: but divine wiſdom ſo teacheth, *let thy fountain be bleſſed*, and *rejoice with the wife of thy youth*,—and *be thou raviſhed*, or *err thou always in her love.—enjoy life with the wife whom thou loveſt, all the days of the life of thy vanity; for that is thy portion in this life*, and *in thy labor which thou takeſt under the ſun.* *

A learned writer remarks from *Ulpian*, "that the marriage-contract among the antient Romans was very ſolemn, at which there was a ſacrifice, and a cake of bread corn was uſed.—and from *Dion. Halicar.* that the old manner of marriage inſtituted by *Romulus*, was, by eating together of bread corn: which took its name from the corn ſo eaten, and implied a neceſſary bond of indiſſoluble friendſhip, and nothing could diſſolve their marriages." †

Indeed *Plutarch* has obſerved, "that *Romulus* inſtituted one law ſomewhat ſevere, which ſuffers not a wife to leave her huſband; but grants an huſband to turn off his wife, either upon poiſoning her children, or counterfeiting his keys, or adultery." which this Greek philoſopher and hiſtorian thought ſevere; becauſe it did not grant equal privileges to the wife. —*Lactantius* alſo ſais, "that the ſtrong propenſities and ardent affection of the ſexes, are the conſtitution of divine providence. ‖

* Prov. v. 15. Eccl. ix. 9. † καὶ το διαιρησον τας γαμους τουτους ουδεν ην. Eſſay on the nature, &c. of ſacrifices. p. 72, 73. ‖ Dr. *Lardner's* Credib. P. ii. V. v. p. 138. Note (c).

St.

St. *Paul* underſtood the marriage-contract to import, a giving up to each other all the claims of bodily property: which he has expreſſed in this chaſte manner, *the wife hath not power over her own body, but the huſband: and likewiſe alſo the huſband hath not power of his own body, but the wife.* * the property is reciprocally transferred.

More than this, keeping the point in view, it will be difficult to affix any ſtandard by which the barrenneſs of the female, or the frigidity of the male may be determined; becauſe not a few married couples have paſſed a great number of years in wedlock without any ſigns of iſſue; who yet afterwards have had children.—Not a few wives have been capable of fruit, though it never reached maturity, but proved abortive. yet, if an actual progeny be made needful to eſtabliſh the contract, a divorce may be thought expedient; than which, a more inhuman cruel poſition cannot well be imagined! for the principle will even admit, that if ſhe ſhould have carried her fruit to the actual birth in the due ſeaſon, death, taking place in the infant ſtate of the offſpring, diſſolves the conjugal tie!

I know, *Lightfoot* has aſſerted, "that the ſcriptures throughout aſcribe barrenneſs to the women." † but he was too haſty; *Deut.* xxv. 5.—10. is expreſly againſt him. a ſtatute law built wholly upon the ſuppoſition of the huſband's impotency. and *Plutarch* having taken

* 1 Cor. vii. 4. † *Works* V. i. p. 397.

notice

notice of the antient Romans their conſtancy in marriage, ſais, " that for two hundred and thirty years neither any huſband deſerted his wife, nor any wife her huſband—adds, and the Romans all well know, *Spurius Carvilius*, was the firſt who put away his wife, accuſing her of barrenneſs." *

" Some would diſtinguiſh between a natural and caſual barrenneſs; they ſay the caſual, intends, a woman's being paſt the time of child-bearing, when ſhe entered the conjugal ſtate." an age, we muſt allow, unfit for marriage, if multiplying the ſpecies be the ſole end of the contract.—but,

Here it will be ſufficient to allege, that an actual or natural barrenneſs was never underſtood to be a reaſon of divorce, where the capacity of intercourſe had place. the firſt inſtance on record, viz. that of *Abram* and *Sarai*, produced no ſuch ſentiment; they continued their conjugal union 'till old age.—and *Jacob*, we are told, loved *Rachel*, notwithſtanding her barrenneſs, more than he did *Leah*, who was fruitful.—*Elkanah* gave *Hannah* a worthy, a double portion; for he loved Hannah, *tho' the Lord had ſhut up her womb.* † —*Zacharias* and *Elizabeth* have a ſhining character, who were both well ſtricken in years. and had had no children; *for Elizabeth was barren.* ‖

From the above inſtances, as well as from the reaſon and fitneſs of things, the conjugal

* *Plut. liv.* engl. V. I. p. 123. † 1 Sam. i. 5. ‖ Luk. i. 7.

rela-

relation appears to have its peculiar endearments, even where propagation is not the conſequence of ſuch union.

The chriſtian lawgiver has very expreſsly forbidden divorce, except in caſe of fornication. *Moſes*, ſais he, *becauſe of the hardneſs of your hearts, ſuffered you to put away your wives: but from the beginning it was not ſo. and I ſay unto you, whoſoever ſhall put away his wife, except for fornication, and ſhall marry another, committeth adultery.* * the prohibition of divorce was full to the *Jew*; becauſe in the caſe of adultery after marriage conſummated, the woman was to be put to death: and putting away, on any other account, is expreſsly forbidden.—for if a man put away his wife, he was chargeable with adultery, if he married another. nor could another man marry the divorced wife, without committing adultery. this, at leaſt, is undeniably certain, that in the judgment of *Jeſus*, nothing, but a defilement of the marriage bed, could diſſolve the matrimonial covenant.

But the better to underſtand the declaration of *Jeſus* in this matter, the precept which *Moſes* wrote ſhould be examined. ſee *Deut.* xxiv. 1. *when a man hath taken a wife and married her, and it come to paſs that ſhe find no favor in his eyes, becauſe he hath found ſome uncleanneſs in her, or matter of wickedneſs,* [the Sept. ασχημον πραγμα, a ſhameful thing] *then let him write her a bill of divorcement.*

* Matt. xix. 8, 9. Mar. x. 2.—13.

What may be meant by the uncleanneſs, nakedneſs, or ſhameful thing found in her, which would juſtify the divorce?

It may either intend her incapacity of conjugal ſociety, or wanting the proofs of chaſtity, mentioned *Deut.* xxii. 15.—the former would be a manifeſt reaſon of divorce, it would be a ſhameful thing and expoſe the woman to reproach, could we ſuppoſe any woman capable of the imprudence of contracting marriage in ſuch circumſtances.—but it ſhould rather intend her having had her nakedneſs uncovered. if ſhe was not an *Iſraelite*, this expoſed her to the utmoſt danger of being ſtoned to death. * her ſafety depended upon the tenderneſs of her huſband, and ſtrength of his affection to conceal the uncleanneſs. which, I cannot but be of opinion, was ſometimes the caſe. † *uncovering the nakedneſs*, originally among the *Jews*, ſeems

* *Deut.* xxii. 21.

† This ſhould appear from *Joſeph* being willing to put *Mary* away privately, upon being informed by her that ſhe was with child, under her betrothment. *Matt.* i. 19.—

Should the objecter to revelation plead, that the ſupernatural formation of *Jeſus*, is an high reflection on the matrimonial law? it would be groundleſs: ſince the *fœtus* ſo produced by the fiat of immediate creative power, was to be the ſecond *Adam*, i. e. the ſecond man ſo formed. which he could not have been by ordinary generation. and that moreover, he was to be diſtinguiſhed from the firſt *Adam*, in his being the ſpiritual head of all virtuous and holy men. and from the nature of his miſſion he muſt have no perſonal concern in the natural propagation of mankind. even the predictions of him, rendered the meaſure of the divine proceeding moſt proper, as he was to be, *the ſeed of the woman, and born of a virgin.* both by *Matthew*'s and *Luke*'s

ſeems to have had the meaning of indecent and unchaſte freedoms with the bodies of one another, as a carnal acquaintance. ſee, to this purpoſe, *Lev.* xviii. 6—17, and 19. verſes. it is the law-language.

As to the licenſe which *Moſes* gave the *Jew*, on account of his obſtinacy or obduracy, it reſpected the males only: and that too was moſt probably confined to ſtrangers and captive women, whom they took for wives. they appear not to have had his connivance, or a permiſſion from him to marry two or more *Hebrew* women: *i. e.* ſo as to cohabit with them, at one and the ſame time.

The following particulars may ſupport this obſervation.

Luke's account he could not be the natural offſpring of *Joſeph*; though *Mary* conceived him under the eſpouſals. for when *Mary* his mother told him, that his father and ſhe had ſought him ſorrowing, his reply is a tacit denial that *Joſeph* was his father; as it only acknowledged *God* to be his father. ſee *Luke* ii. 48, 49.

It might have reflected on the matrimonial law, if it could have been proved that becauſe he was thus born of *Mary*, that therefore ſhe was thenceforwards obliged to avoid a cohabitation with *Joſeph*. but the contrary ſhould appear manifeſt from the face of the goſpel-hiſtory. I make no doubt but *Mary* had ſeveral children after the birth of *Jeſus*, by her huſband *Joſeph*, with whom, we have reaſon to believe, ſhe cohabited till *Jeſus* was about twelve years of age. and to what purpoſe did the angel encourage *Joſeph* to take her to wife? or St. *Matthew* declare, *that he knew not Mary till ſhe had brought forth her firſt-born?* if he never knew her; or if ſhe had no other children! ſome believers in the Chriſtian revelation, have ſome-how taken offence at the account of our Lord's formation; and tho' *Joſeph*'s ſcruples and jealouſies were all removed, theirs are not.

1. In the law referred to, there are no inſtructions given how to behave towards the family of the divorced woman; * as there is in the caſe of an *Iſraelite* woman, when an accuſation was brought againſt her by her huſband. the *Hebrew* woman's parents and family were to be ſatisfied with the reaſon of her huſband's bringing upon her an evil name. the reputation of the *Hebrew* wife is held ſacred, every-where provided for; and never at the mercy of her huſband.

2. I cannot find, in all the *Moſaic* code, a law for the divorce of an *Hebrew* woman. ſhe is not intended, *Deut.* xxi. 10—14. *when thou goeſt to war with thine enemies, and the Lord thy God hath delivered them into thine hands, and thou haſt taken them captive. and ſeeſt among the captives a beautiful woman, and haſt a deſire unto her, that thou wouldſt have her to thy wife. then thou ſhalt bring her home to thine houſe, and ſhe ſhall ſhave her head, and pare her nails. and ſhe ſhall put the raiment of her captivity off from her, and ſhall remain in thine houſe, and bewail her father and mother a full month; and after that thou ſhalt go in to her and be her huſband, and ſhe ſhall be thy wife. and it ſhall be that if thou haſt no delight in her, then thou ſhalt let her go whither ſhe will, but thou ſhalt not ſell her at all for money, thou ſhalt not make merchandiſe of her, becauſe thou haſt humbled her.* †

* *Deut.* xxiv. 1, 2, 3. † *Patrick* obſerves, it do'nt neceſſarily ſuppoſe he had actually layn with her,

the

the law in *Deut.* xxiv. is in perfect agreement with this. ſo probable is it that the uncleanneſs or matter of nakedneſs, refers to her not having given him ſatisfactory proofs of her chaſtity. for we are led by the law to underſtand her an unmarried woman, from her bewailing her father and mother, but no mention at all of her huſband. and beſides, we ſhall find, by their articles of war, they were not to take the married women captive.—ſomething of the nature of ſuch diſcovery, may be ſuppoſed to occaſion the loſs of the huſband's favor, who had ſuch an affectionate deſire towards her.

If the law *Deut.* xxiv. 1. reſpects an *Hebrew* wife, I ſhould then conclude, that the huſband had not conſummated the nuptials with her; becauſe it ſais, ver. 2. *that when ſhe is departed out of his houſe, ſhe might go and be another man's wife.* but had the firſt huſband layn with her, ſhe might have become pregnant; in which circumſtance it would not then be ſo clear a point, *that ſhe might go and be another man's wife.* the conſtitution, don't ſeem to encourage or admit of ſuch blendings of families. but her being at liberty to marry, rather ſuppoſes it was ſignified in her *bill of divorce* that ſhe had found no ſuch favor in her huſband's eyes, as that of conſummating the nuptials. it differs very widely from that law, ch. xxii. 13, 14. where the man, after having layn with his wife, reports, *that he found her not a maid.* It is likewiſe obſervable, of the divorced woman, that if ſhe had another huſband and he hated her,

her, the firſt was not allowed to retake her.—the *law of divorce* ſeems to have been too diſhonourable and rude uſage of a ſiſter, a native *Hebrew* woman: for in all marriage-contracts with theſe, there is a delicacy obſerved, and every precaution taken to ſecure her againſt any inſults upon her reputation. the very father and mother of the repudiated *Hebrew* wife, or the accuſed, are concerned in ſupporting her honour, or in not ſuffering any falſe charge to lie againſt her.

To ſuppoſe the *Hebrew* wife divorced, in this ſenſe unhumbled by the huſband, makes a very conſiderable difference in her condition; yet, it is not probable, that this could be done, without ſatisfaction given to her and her family.

For any to ſay, "that *Moſes* diſapproved of divorces, and therefore did not make proviſion for the reputation of the repudiated wife, as in other caſes;" does not ſatisfy me: becauſe his diſapprobation would of itſelf naturally lead him to load and encumber the licenſe as much as poſſible. from the very face of the permiſſion, I ſhould therefore conclude, that the divorced wife was the fair captive, whom the man had betrothed. which leſs confines us in accounting for the phraſe, *not finding favor in his eyes.* for ſurely *Moſes* could never connive at, and permit the divorce of an *Hebrew* wife, at the arbitrary pleaſure of an huſband; and that too after he had humbled her! this muſt have occaſioned unſpeakable confuſion, and bloody reſentments from families ſo inti-

intimately concerned in the diſgrace and diſhonour thrown upon a ſiſter, or near kinſwoman.

It is ſaid in that law, *Deut.* xxiv. beginning, *that the divorced woman might go and marry another.* but if the matter of nakedneſs found in her was ſignified in the bill of divorcement, it ſhould be nothing that would neceſſarily expoſe her to contempt; for if it did, ſhe was not ſo properly at liberty to go and marry another. but—altho' a defect in the proof of chaſtity found in a fair captive, might expoſe her to the diſlike of her firſt *Hebrew* huſband, yet, others might fancy to take her, as willing to indulge their luſt.

Moſes ſuffered you to put away your wives.—the term, *wives*, is not too ſtrong ſo applied, when the ſolemnity is attended unto, with which they were to marry the fair captives. —and can any man reaſonably ſuppoſe, that *Moſes* allowed an *Hebrew* wife to be divorced, when an expreſs law amerced the huſband in an hundred ſhekels of ſilver to her father, and to remain her huſband for ever, if he brought an evil report upon her? here is an emphatical reaſon aſſigned, *viz.* becauſe he hath brought up an evil report upon a *virgin of Iſrael.* another law made it death for any married woman to lie with another man. yea, death was to be the puniſhment of a betrothed virgin, if ſhe lay with another man in the city; or within the call and aſſiſtance of her neighbours. but if forced in the field, the man was to die, and ſhe acquitted. there was alſo another law that obliged a man, who lay with

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an unbetrothed virgin, to give her father fifty ſhekels, and ſhe was to be his wife, becauſe he had humbled her.

Theſe laws render it abſurd to ſuppoſe, that a *Jew* might put away his *Hebrew* wife at his pleaſure, and even after he had humbled her.—

3. The hypotheſis gathers ſtrength from *Lev.* xxi. 14. *the high prieſt muſt not take a widow, a divorced woman, or prophane, or an harlot; but he muſt take a virgin of his own people to wife.*—the virgin of his *own people* is oppoſed to the prohibited women. but there is no virgin among the prohibited, unleſs it be the *divorced woman*, a virgin-captive: *i. e.* if Biſhop *Patrick* has rightly underſtood— the prophane, ver. 7. of ſuch who had proſtituted their bodies, to the myſteries of idolatry. may not this give the ſenſe of the *ſhameful thing?* —a confeſſion made by the fair captive, under the eſpouſals, would give the information.

Lev. xxii. 12, 13. affirms, *that if a prieſt's daughter be a widow, or divorced, and have no child, and is returned unto her father's houſe; as in her youth, ſhe ſhall eat her father's meat; but there ſhall no ſtranger eat thereof.*

Patrick obſerves, that ſtranger here, does not intend one who was not an *Iſraelite:* it is not *Nechar*, but *Zar*, which ſignifies any one to whom a thing does not belong; one, not of the *Aaronical* family. which ſeems to be a juſt criticiſm; for none of the *Hebrew* women were allowed to marry ſtrangers in the former ſenſe. *Numb.* xxxvi. thoſe of the other tribes, were

were only to marry into their own tribes, if they had any inheritance or lands which belonged to their families. but this was not a reſtriction to a prieſt's daughter.—as to her divorced, it ſhould mean one that had no child, becauſe admitted to her father's board, and to eat of the holy things, allotted only for the prieſts and their family.

Here ariſes a conſiderable difficulty, that would perplex my hypotheſis, if underſtood in the reſtrained ſenſe of the word, *Garaſh*, as a divorce. *i. e.* from the wife not having found favor in the eyes of her huſband. but there is another ſenſe much more natural and reconcileable to the intention or ſpirit of this law, *viz.* the divorce meaning no more than poverty and extreme want driving her from the houſe of her huſband. this ſhould be the meaning of the expreſſion. for in this circumſtance, though the huſband be reduced to extreme indigence along with his wife; yet as a ſtranger, the law forbad that either he or his children ſhould eat of the offerings, ſacred to the prieſt and his family, *Lev.* x. 14. compare with this another ſtatute, chap. xxv. 39. *if thy brother be waxen poor, and be ſold unto thee, thou ſhalt not compel him to ſerve as a bond ſervant; as an hired ſervant, a ſojourner ſhall he be with thee until the year of jubilee.*—if he, the poor man, was the huſband of a prieſt's daughter, this proviſion was made for his wife, during the time of his ſervitude; or of this her ſeparation from him. the *Hebrew* word rendered, divorce, does not neceſſarily ſuppoſe a man's

turning away his wife; but is put for other kinds of expulsion, *Gen.* iv. 14. *Cain* sais, behold, *thou hast driven me out this day. Exod.* xi. 1. he shall surely *thrust you out.* xii. 39. *because they were thrust out.* xxxiv. 11. behold, *I drive out* (divorce) *before thee the Amorite.* Is. lvii. 20. *whose waters cast out mire and dirt.* thus poverty, want, the husband's going into servitude might *thrust out* the wife, and so divorce her.

4. The absolute unlawfulness of the *Jew*'s divorcing, or voluntary putting away his *Hebrew* wife, is determined by that passage in *Malachi* ii. 14, 15, 16. where he reproves the idolatries of *Israel*, by an express allusion to the matrimonial law—*the Lord has been witness between thee and the wife of thy youth, against whom thou hast dealt treacherously: yet is she thy companion, and the wife of thy covenant. and did not he make one? yet he had the residue, or excellency of the spirit! and wherefore one? that he might seek an holy seed: therefore take heed to your spirit, and let none deal treacherously or unfaithfully against the wife of his youth. for the Lord, the God of Israel saith, that he hateth* PUTTING AWAY, or dismissing. so the word *Shalach* is used, *Exod.* ix. 7. and he *did not let the people go.* it stands for neglect, *Prov.* xxix. 15. *a child left—i. e.* a neglected child *bringeth his mother shame.*—God hates all putting away, all neglects of the wife, whom his institution requires should be treated with sacred regard.

It follows, by fair deduction, that *Moses*'s suffering them to put away their wives, because of

of the hardneſs of their hearts, cannot denote any, the leaſt approbation; but barely ſuch a permiſſion as he found altogether unavoidable. the permiſſion itſelf intimated the obduracy of their hearts, and the record of it, is a monument of their ſenſuality.

Dr. *Lightfoot* thinks, "*Moſes* propoſed the law of divorce to mitigate the law which denounced death on the adultereſs." *—if this ſenſe will agree with our Lord's declaration, that *Moſes ſuffered this for the hardneſs of their hearts*; it would then follow, the law of divorce was confined to thoſe wives only who had forfeited their lives by a defilement of the marriage bed.—but then a conſiderable difficulty will ſtand in our way, *to wit*, how comes it to paſs that *Jeſus* ſhould ſay, *from the beginning it was not ſo*: and yet, with the ſame breath encourage the continuance of the innovation? as he appears to do, when he ſais, that fornication will juſtify the *putting away*. *whoſoever ſhall put away his wife, except for fornication*. which exception, would be as ample a permiſſion as that of *Moſes*, in the ſenſe of that learned writer.

Bernardinus Ochinus, an *Italian*, whoſe dialogues on polygamy and divorce were printed at *Baſil*, in the year 1563. and the tranſlation at *London*, 1657. has ſuppoſed St. *Paul* to contradict his maſter, when he ſais, *unto the married I command, yet not I, but the Lord, let not the wife depart from her huſband*, &c. *alſo let not the huſband put away his wife*. †

* *Works*, vol. I. p. 146. † *Dialogue* of divorce, p. 31.

The *Italian* did not ſee the manifeſt difference. our Lord refers to the violation of the marriage covenant, when putting away may be juſtified. St. *Paul* has in his eye the caſe of chriſtian men or women having infidel wives or huſbands. in which circumſtance, ſome had weakly imagined that their chriſtianity obliged them to a ſeparation: which St. *Paul* ſais it did not, unleſs the infidel party was diſſatiſfied, and refuſed the cohabitation.

Ochinus again obſerves, that ſome ſay, "becauſe the huſband is head of the wife, and has authority over her, he may, upon the occaſion aforeſaid, put her away, which the wife cannot do to the huſband, as having no ſuch authority." *

This ſuperiority can ſurely be no reaſon of divorce; becauſe by the very exerciſe of this act of ſovereignty, the ſuperiority is quite loſt and gone. ſo that for the man to aſſert his ſuperiority over the woman in putting her away, he would do juſt the ſame thing as aſſert his authority, by an act of reſignation thereof. but although he is head of the woman, ſhe is his glory. divorcing of her would then be no other illuſtrious diſplay of his authority, than that of ſtripping off and laying aſide his glory.

Numb. xxx. 9. makes mention of the vow which a woman had made under her divorce as binding: but does not affect the hypotheſis; becauſe, in all probability, applicable to the divorced ſtranger, or fair captive in her widow-

* *Dialague* of divorce, p. 37.

hood.

hood. *every vow of a widow, and of her that is divorced, wherewith they have bound their ſouls, ſhall ſtand againſt her.*—her father had no ſuch power over her, as before marriage.

Deut. xxii. 19. ſais, the man who unjuſtly brought an evil name upon his wife, detected in his crime, *ſhould be amerced an hundred ſhekels of ſilver; and he might not put away his wife all his days*—he is obliged to conſtant care of her, and his teſtimony againſt her, probably, would never, after this vile attempt upon her life, be accounted valid or legal.—but had he proved his point, it does not appear he could have given her a divorce; but rather that the ſentence of death would have paſſed upon her.

Should it be objected, that the ſuppoſed *ſhameful thing*, which occaſioned the divorce of the fair captive, has no foundation; becauſe the *Jews* were commanded, as in the caſe of the *Midianites, to ſpare no woman that had known man? Numb.* xxxi. 17.

The reply to this would be, the caſe was ſpecial, as the *Midianite* women had been the defilers of *Iſrael. Patrick* obſerves, "this was a peculiar caſe, wherein a middle courſe was held, between thoſe that were of the ſeven nations of *Canaan*, and thoſe that were not. if of the latter, the *Iſraelites* might take the women and little ones to themſelves *Deut.* xx. 14, 15. if of the former, every thing that breathed were to be deſtroyed, ver. 16, 17. indeed the law of arms, *Deut.* xx. 10—14, is, *when thou comeſt nigh unto a city to fight againſt it,*

*it, then proclaim peace unto it. and it ſhall be, if it make thee anſwer of peace, and open unto thee, then it ſhall be, that all the people found therein, ſhall be tributaries to thee, and they ſhall ſerve thee. and if it will make no peace with thee, —when delivered to thee, thou ſhalt ſmite every male thereof with the edge of the ſword. but the women, * and the little ones, and the cattle, and all that is in the city—thou ſhalt take unto thyſelf.* —after this follows an exception of the *Canaanites.*

From this account it is manifeſt, that the rigor uſed with the *Midianites* was not always obſerved: and that among their fair captives they might miſtake in fixing their eyes on ſuch whom they took for virgins.

The preliminaries, which they were enjoined the obſervance of in their marrying the captive women, are remarkable. *ſhe muſt ſhave her head, and pare her nails.* very likely this was to be done in token of her bewailing her idolatrous extraction, and renouncing thoſe cuſtoms. ſhe muſt alſo, of her own accord, *put off the raiment of her captivity*; perhaps that had been worn in honour of ſome idol— *and bewail her father and mother, for a month, at leaſt.* who had been cut off in the battle.—ſo the *Jews* mourned a like time, *viz. thirty days.*

Learned men are indeed divided in their ſenſe of theſe preliminaries; but it is more probable that the deſign of the law-giver, was

* I reckon this means the young women; ſuppoſed virgins.

to

to abate the fury of their luſtful paſſions, by depriving her of her hair, and her greateſt ornaments; and giving him time for cool and ſober reflection.

5. This interpretation ſeems to account for the total ſilence of the divorce of huſbands. I ſee not how they could practiſe divorce in the caſe of adultery, when *Lev.* xx. 10. made it death. and death too both to the adulterer and the adultereſs.

6. The law which obliged the next of kin to a deceaſed *Jew* to marry his widow, if he died childneſs, is an argument againſt barrenneſs being the reaſon of divorce under that conſtitution; for it ſuppoſeth unfruitfulneſs occaſioned on the ſide of the male, which was not to be remedied till his death, *Deut.* xxv. 5—10. moreover, the *Jeweſs*, who had been the wife of an *Iſraelite*, was not to marry a ſtranger; but muſt be provided for in the tribe of her huſband. a reaſon in proof of the propoſition, *viz.* that a *Jeweſs* could not be intend- by the wife that might be divorced on account of a matter of ſhame, if underſtood of her unfruitfulneſs.

The corrupt gloſſes which the *Jews* had given of the law of divorce, and their vile practices in the time of Chriſt's miniſtry, ought, by no means, to be taken for the ſenſe of *Moſes.* — for *Lightfoot* has obſerved from the *talmudical* writers, that they put away their wives upon any, and almoſt every trifling pretence.

" As

" As if ſhe was not of a good behaviour, and not modeſt, in the ſenſe and taſte of her huſband.

If a man hate his wife let him put her away. excepting only that wife which he firſt married.

If the wife was not a good cook, and did not pleaſe her huſband in ſalting or roaſting his meat; he muſt put her away.

If ſhe become, by the hand of God, dumb, *&c.*

Beſides many other things too immodeſt to be mentioned. *R. Akibah* ſaid, if any man ſees a woman more handſome than his own wife, he may put her away; becauſe it is ſaid, *if ſhe find not favour in his eyes.*" *

Patrick ſais, the *Jews* extended their reaſons of divorce, even to a ſtinking breath. †

That maſter in reaſoning, *Locke*, has ſomething upon *divorce*, perhaps as little worthy of him, as any thing that ever dropped from his pen. for having ſpoken of the human offſpring, he ſais, " — but though theſe are ties upon mankind which make the conjugal bonds more firm and laſting in man than in the other ſpecies of animals; yet it would give one reaſon to enquire, why this compact, where procreation and education are ſecured, and inheritance taken care for, may not be made determinable, either by conſent, or at a certain time, or upon certain conditions, as well as any other voluntary compacts, there being no ne-

* *Works*, vol. II. p. 146, 147. † On *Deut.* xxi. 1.

ceſſity

ceſſity in the nature of the thing, nor to the ends of it, that it ſhould always be for life; I mean, to ſuch as are under no reſtraint of any poſitive law, which ordains all ſuch contracts to be perpetual." *

The beſt apology I am able to make for this excellent man, is, *he was a batchelor, and had no adequate ideas of the ſubject he wrote upon*; otherwiſe, he would have known, that the conjugal ſociety will bear no manner of compariſon with the brutal couplings! and the *union*, he would have found, to be much too ſacred and intereſting to bear a diſſolution from any other hand than that of death. for many aged pairs, who have lived, even to an half century of years, in love and harmony, I doubt not, could with as much eaſe reſign life, as ſubmit to a previous determination of the conjugal ſociety.

The very inſtitution has this aſpect in the original; *they two ſhall be one fleſh. and what God hath joined together, let no man put aſunder.* our bleſſed Lord has delivered himſelf on this ſubject, in the very ſpirit of the original. no chriſtian man, may, with impunity put away his wife, if ſhe has not defiled his bed. and becauſe *they are no more twain, but one fleſh*, a voluntary ſeparation is unnatural, and inconſiſtent with the inſtitution.

The diſciples of *Jeſus* object to the ſenſe he gave of the conjugal law; they ſay, *if the caſe of a man be ſo with his wife, it is not good*, ex-

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* *Of Government*, B. ii. ch. vii. Sect. 81.

pedient or proper *to marry*. the tie, they think, is much too rigorous and unyielding. their former conceptions of the law, had more latitude of ſentiment and practice. *Jeſus* replies, *all give not place*, accede or yield *to this word, or ſenſe of the law: but to them it is given.* i. e. the *Jews* might all of them ſee that this is the natural, obvious ſenſe of the original inſtitution of marriage. it is of the very nature of the conjugal union, that the bond be indiſſoluble. all who marry ſhould ſo underſtand it; yet there are numbers who will not yield to this unforced conſtruction.

Thus I have underſtood *Matth.* xix. 11. ου παντες χωρουσι τον λογον, αλλ' οις δεδοται. all do not give place to this law, *neverthelefs* to them it is given. the conjunction αλλα, is ſo rendered, *Rom.* v. 14. and if our Lord has his eye on the cuſtom of divorce as a violation of the law of marriage, the ſenſe is eaſy.—as to the inſtances which follow of *Eunuchs*, they are the exceptions to matrimony itſelf, which then had place among the *Jews*; but did by no means affect the ſenſe given of the matrimonial law. ſome of theſe were phyſically incapable of matrimony; others ſuperſtitiouſly made celebacy eſſential to religious character; however the reaſonableneſs of the law is ſuch, that he who is able to receive it, let him receive it. *q. d.* put no difficulties upon him.

This ſenſe I prefer to that of our Lord's intending, "all cannot live pure and chaſte without marriage: but ſome only who have the gift of continence," my reaſons are, becauſe in

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the inſtances of *Eunuchs*, two of the three ſorts, argue great defects and injuries to the bodily frame, *viz.* thoſe born imperfect, and thoſe maimed by men. and as to the other, the third ſort, the mortification appears to have been the reſult of a religious frenzy; *namely*, perſons taking it into their own heads, that celebacy is a qualification for the kingdom of heaven. ſurely none of theſe intend a *divine gift*. — but of this in the proper place, when we come profeſſedly to treat on the ſubject.

The inſtruction given, plainly reſtores the loſt genuine ſenſe of the conjugal law to its primitive dignity and glory! it cenſures and condemns the unhallowed freedoms which the *Jew* had taken with that inſtitution; more particularly in the article of divorce. — The inſtitution in its pure ſenſe, beſt ſerves the intereſts of ſocieties. and Biſhop *Patrick* obſerves, "that for 500 years or more, the *Roman* ſtate flouriſhed without the uſe of divorces." but admit that they did allow a diſſolution of the marriage contract by conſent; yet, this is no good authority, when we advert to the original, the divine law. neither ſhould it have any weight in the argument, that in bilateral contracts among men, in commercial or civil life, a diſſolution of covenants may take place by mutual conſent: "for *Civilians* properly deny, that marriage is a contract; becauſe it relates to perſons, and their inſeparable union, which are not things in commerce."— * but if in bilateral contracts the obligation cannot be diſſol-

* *Heineccius* on univ. Law, Vol. I. Sect. 385. by *Turnbul.*

ved, only by mutual conſent; much leſs can the marriage covenant by the mere will of either the man or the woman. and even with mutual conſent, where the bed has not been defiled, the ſeparation has no warrant in the ſenſe of *Jeſus*, or the original inſtitution. it is a lawleſs ſituation.

Having thus largely treated on *divorce*, I will proceed to the ſubjects of polygamy and celebacy in the next chapter.

CHAP. II.

Of Polygamy *and* Celebacy.

SOME have ſaid, "*that polygamy is allowed of under the goſpel conſtitution.*"

Previouſly to a diſcuſſion of this matter, ſome things may be noticed. — ſhould it be granted that propagation and a convenient education of children, are the two great ends of conjugal ſociety; it might be eaſily proved, that theſe very ends are beſt accompliſhed by monogamy, or ſingle intercourſe in wedlock. yet, if in ſome inſtances, theſe ends fail in the pure and ſimple intercourſe; the intereſts of ſociety are no more injured in theſe reſpects, than they are by thoſe who remain celebate. but where-ever the conjugal union is made with reaſonable and human intention, it is infinitely preferable to the impure, and worſe than brutal conjunctions, only deſigned to ſatiate luſt.

However

However the defenders of *polygamy* ſay, in favor of it,—" *that it does not hinder propagation.—nor render the offspring uncertain.—that the people of God have approved of it.—that education of the offspring is not injured by it.—and that the huſband's vigor, or the wife's barrenneſs has made it proper.*"

Theſe are bold and ſpecious declarations. yet if polygamy be found inconſiſtent with a juſt obſervance of the matrimonial law, theſe affirmations will then appear to be, in truth, ſophiſtical and trifling.—in confutation of the firſt article. *viz. that polygamy does not hinder propagation*, I refer my reader to Dr. *Delany's reflections*, &c.—he has ſhewn, " that the increaſe of the human ſpecies is manifeſtly checked, and their miſeries multiplied by that permiſſion, in every region of the habitable world. and that monogamy is that right and regular commerce of the ſexes, that true ſocial union of the affections and intereſts which God intended and nature demandeth. ſo that whoever conſiders all theſe evils, and abhorreth not polygamy the parent of them all, that man has a ſoul utterly eſtranged from all ſocial and benevolent affections ; from all true love of liberty, and reverence of virtue ; and from all awe, honour, and veneration of the ſupreme being."

This writer has with much labor and judgment demonſtrated the great injury that polygamy is of, reſpecting the increaſe of the human ſpecies, where-ever it is permitted. beſides, an objection would have lain againſt the *Moſaic* account of the creation of man, and

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of the inſtitution of marriage, if ſingle communion were not, in fact, the beſt and moſt effectual method of peopling the world. but the obſervations of many learned men, prove the point, beyond any reaſon of debate.

To proceed with the argument; we may allow to the polygamiſts, "*that it is not the forms ſo properly as the tie of marriage, that binds one man to one woman.*" but then, even the forms are needful in ſociety. how elſe would any claims of deſcendants, in the right of anceſtors, be made good? ſome form, no matter what, any that is agreed upon by the community for the ſatisfaction of the public. perhaps the leſs private the ceremony, and the better. it would have a tendency to prevent impoſitions, deceptions, and mal-practices, the frequent occaſion of great infelicities to perſons and families. the very nature of the contract ſeems too ſacred, and the connections it has with ſociety too many and important to admit of privacy and concealment in the celebration of the nuptials. "every one knows how marriages were made among the *Romans*, *confarreatione*, *cæmptione*, *uſu*: of which ways the two former were attended with many ceremonies: and the *legitimæ tabellæ*, or at leaſt conſent of friends, preceded all, *auſpicia* were uſually taken, public notaries and witneſſes aſſiſted, *&c.* among the *Greeks*, men and women were eſpouſed by mutual promiſes of fidelity; beſides which there were witneſſes and dotal writings—at the wedding ſacrifices to *Diana* and other deities.—all nations have ſome form

form or other on theſe occaſions.—there is no coming together after the manner of man and wife upon any other foot." *

Incapacity ſeems to be hinted at in the propoſition, as delivered by the polygamiſt: which, if concealed from the other party, will be a good plea for the ſeparation. but it is highly reaſonable to ſuppoſe that a known incapacity, a real natural impotency in the woman, will ever be attended with an indiſpoſition to matrimony. the law of *Moſes* never conſidered a woman betrothed under ſuch diſability, that I can diſcern. and defective men are prohibited marriage with an *Iſraelite* woman, *Deut.* xxiii. beginning. which may be the meaning of the phraſe, *they ſhall not enter into the congregation of the Lord.*

The unnatural diſabilities do not wholly deſtroy the diſpoſition towards the ſexes, as may be ſeen in that apocryphal book, *Eccleſ.* xxx. 20. which intimates a propenſion without the generative ability. however this, by no means, perplexeth the argument; becauſe the diſability is known. the caſe is not equal, or of like kind with that of a natural impotency, where the deſire has no place. theſe inſtances do not properly belong to polygamy; for though there ſhould be no divorce upon the diſcovery, yet, if the impotency would not admit the conſummation of marriage, they never were *one fleſh.*

* *Woolaſton's religion of nature,* p. 156, 157. note and text.

I ſhall

I ſhall uſe the term, *polygamy*, for a man's having more than one wife at one and the ſame time; without any regard to the term bigamy or digamy: becauſe if monogamy be tranſgreſſed, for the ſame reaſon that a man has two wives, he might have twenty. add to unity, I would call it, in this caſe, *polygamy*.

If polygamy was connived at under the *Moſaic* inſtitution, will that be an argument in its favor? no ſurely, ſince *Moſes* ſuffered it only *for the hardneſs of their hearts*.—the defenders of polygamy, I would remark by the way, will not readily plead for the woman having more than one huſband. yet from the condition of mankind their plea is as good as that of the men: for if the proportion of males to females was among the *Jews*, what it is nearly all the world over, *viz.* as 13, to 12,* there was as much room for the *Jeweſs*, as the *Jew*. † but hence it is evident, there was no ſuch thing as the poſſibility of a *Jew* having two *Jeweſſes* at once, without injuring the natural claims of his brother *Jew*. polygamy could not then be tolerable among that people, but from the addition made to the females by the captive women.

* I have not mentioned the manner of proof. but thoſe who conſult Mr. *Derham*'s table, or Dr. *Arbuthnot* on the ſubject; may ſee a demonſtration.

† In the account our Lord gives to his diſciples, *Mar.* x. 11, 12. both the man and the woman are ſuppoſed putting away. *whoſoever ſhall put away his wife*—and *if a woman put away her huſband*. it is the very ſame word in both caſes, απολυση.

" Dr.

" Dr. *Delany* has underſtood, *Lev.* xviii. 18. as an expreſs law againſt polygamy; *neither ſhalt thou take a wife to her ſiſter, to vex her, to uncover her nakedneſs, beſides the other in her life.* —not only the *Sadduces* of old, but the *Caraites*, (a learned ſect among the *Jews*) at preſent, have ſo underſtood this law. and ſo the *Chaldee* paraphraſt. nay, the idiom of the *Hebrew* tongue requires this ſenſe. *

The *Jews* were wont to look upon all the *hebrew* women as ſiſters, and all *hebrew* men as brethren; deſcending from one common father or origin, *Jacob*. they therefore could not take two *hebrew* women to wife, but they would thereby diſturb the peace of the family, and raiſe jealouſies and diſtractions in the breaſts of thoſe warm competitors.—the conſequence was not ſo certain or inevitable in their taking female captives; becauſe over them the *hebrew* wife would exerciſe authority, and claim a ſovereignty.—the writer above-mentioned ſais, " this was the reaſon why *Mahlon*'s next kinſman refuſed to redeem *Ruth*, his widow, *viz.* becauſe it was not lawful for him to marry her, having already a wife of his own, *Ruth*, iv. 6. *he could not redeem for himſelf, leſt he ſhould mar his own inheritance.* †

" *The caſe of mankind ſince the fall*, ſay ſome, *varies much from what it was in innocency; for then the ſoundneſs of their bodies, and the purity of their minds did keep out of the way, all the hazards of barrenneſs, ſickneſs, uncleanneſs and*

* *Reflexions*, p. 72, 73. † Ibid. p. 69.

croſs-

croſsneſs of humour; and therefore a ſingle marriage, as being the moſt perfect coalition of friendſhip and intereſt, was proper for that ſtate."

This is to give up the argument for polygamy; becauſe if a ſingle marriage was moſt proper for a more perfect ſtate, it ſurely will be moſt proper for a leſs perfect ſtate of man: ſince the more infirmities and humours are introduced in the leſs perfect ſtate, the leſs able men are to deal with or manage well a multiplication of them, which there muſt be in polygamy. the firſt law, inſtead of loſing its ſtrength, receives conſiderable addition to its force from the more diſordered ſtate of man. if therefore polygamy could ever have been ſuitable to human nature, it would have been to that of innocency; but upon a degeneracy would loſe its fitneſs.

" *Lamech is allowed to have been the firſt polygamiſt* "

Lightfoot remarks upon his being ſo, " it gave him the horror of conſcience, that he reckons his ſin *ſeventy times* greater than *Cain*'s. which occaſioned the complaint he made to his two wives," *Gen.* iv. 23. *

" *Abraham and Jacob are ſaid to be polygamiſts.*"

Abraham's wife urged him to ſuch licentiouſneſs; yet preſerved and exerciſed a deſpotic power over *Hagar*. and very barbarouſly procured the baniſhment both of her and her off-

* *Works* Vol. I. p. 3, and 693.

ſpring.

ſpring.—the caſe of *Jacob* was very peculiar: he was prompted to polygamy by the vile impoſition and fraud of *Laban*, the father of his wives. *Iſaac*'s character is pure and unſtained.

" Some farther ſay, *when a man had married more wives than he could maintain, to prevent any indirect ways in getting rid of them, this fair one of divorce was allowed by God; and polygamy was practiſed without either allowance or controul as the natural right of mankind.*"

This is very bad reaſoning. divorce was never allowed by God. and polygamy men practiſed contrary to the voice of reaſon and revelation. it could never be countenanced by the Governor of the world, as it violates the natural rights of mankind, which appears from the equality of the ſexes.

" Not leſs idle is it to ſay, *polygamy is no where marked among the blemiſhes of the patriarchs.*"

Does it, in any one inſtance, raiſe their reputation? was it not the fertile ſource of family broils, contentions and confuſion?

" But we are told, *David's wives are termed by the prophet, God's gift to him.*"

It is true that *Nathan* tells *David*, 2 *Sam.* xii. 8. *God had given him his maſter's wives into his boſom.* but then, what ſais, ver. 11? *behold I will raiſe up evil againſt thee out of thine own houſe, and I will take thy wives before thine eyes, and give them unto thy neighbour, and he ſhall lie with thy wives in the ſight of the ſun.* this God foretold, as what he foreknew his neighbour, that is, his ſon *Abſalom* would do,

who went in to his father's concubines in the ſight of all *Iſrael*, chap. xvi. 22. this is a *gift of God*, that has been mentioned in defence of polygamy. but ſurely ſuch a one, that no man in his ſenſes would be very fond of. it imports a dreadful curſe that fell on polygamy.

A defender of it will affirm, "*that* Jeſus *deſigned to raiſe mankind to the higheſt degree of purity and chaſtity*; *and therefore our Lord and St.* Paul *do prefer a ſingle life to a married ſtate, as that which qualifies us for the kingdom of heaven.*"

Here is taken for granted, what is incapable of proof. the direct contrary to this is the truth of the caſe, as applicable to mankind in general. neither *Jeſus* nor *Paul* thought a ſingle life ordinarily preferable to a married ſtate. ſpecial caſes do not affect, ſo as to weaken or deſtroy a general rule. the very deſign of Chriſt's miſſion and character rendered him an unfit ſubject of the matrimonial law. he was to be a quickening ſpirit to mankind, in contradiſtinction to the firſt *Adam*'s being made a living ſoul, *i. e.* the animal parent of the ſpecies. a propagation of our race was not analogous to the divine character of the author of our religion; the appointed reſurrection, the medium of the ſpiritual and future life of man. —alſo St. *Paul*'s remaining celebate, was grounded on his ſituation; whoſe travels, labors, and perils were *more abundant* than thoſe of the other apoſtles, 1 *Cor.* xv. 10. compared with ix. 5. and he gave it as his opinion, that ſuch of the *Corinthian* chriſtians who found no incon-

inconveniences from the ſingle ſtate, would have leſs trouble in the fleſh, under the violence of perſecution. but he never preſumed to ſay, that the celebate was a more holy ſtate than the matrimonial. he knew better.—nothing can juſtify a contempt of marriage, tho' there may be many circumſtances that will juſtify, in ſome perſons, the celebate. St. *Paul* had the moſt honourable ſentiments of matrimony, though he did not think it expedient for himſelf. he enjoins a ſpecial regard to widows, who had brought up children, 1 *Tim.* v. 3—10. he would have the younger women marry, bear children, guide the houſe, give no occaſion to the adverſary to reproach chriſtianity; as though it forbad, or diſcountenanced marriage. the tenets which prejudiced men againſt matrimony, and made the abſtinence a religious thing, he brands with the name of, *the doctrine of demons*. chap. iv. 1, 3.

Very great ſtreſs has been laid on 1 *Cor.* vii. 32—36. wherein the apoſtle diſtinguiſheth the carefulneſs of the wife, from that of the virgin: yet, each have their burdens, and objects of ſolicitude. the one has affections or paſſions, giving her pain, leſt her huſband ſhould find any thing diſagreeable in her temper and behaviour, during the perilous ſeaſon: ſhe has her cares and anxieties about her huſband. the other has another kind of diſtreſs, her heart fills with fearful, terrifying emotions, leſt under the fiery tryal, ſhe ſhould not demean herſelf ſo as to pleaſe the Lord. the apoſtle, diſcerning theſe extremes in the married and unmarried women, would have them both without

out carefulneſs. he is earneſtly deſirous that both may ſupport a decency and comelineſs of deportment in the public worſhip, and in all their devotions: that they might attend on the Lord without thoſe drawings of the paſſions, which were convulſive; ακαταπαστως, ver. 37. ſo the word may be rendered, which is tranſlated, *without diſtraction.*—St. *Paul* is concerned about the credit and reputation of the chriſtian religion; and from a view of what inflamed and diſturbed the paſſions, he is ſo very ſolicitous that the chriſtian might be as free as poſſible from all thoſe *ſpaſms* and *convulſions* which detract from the glory of the profeſſion. he would have chriſtianity appear, what it really is, a rational, and not an animal religion. there is not any thing that can be more dangerous than the paſſions taking the lead, either in religious or in civil life. in the religious, theſe are the conſequences, — reaſon is excluded as no judge of doctrines; and revelation itſelf becomes eclipſed by myſtery. that gigantic monſter, *tranſubſtantiation*, was thus begotten, and has ever fed on the garbage of ignorance.

The aſcetic, monkiſh tribe have egregiouſly perverted the ſenſe of ſcripture, and brought a reproach on marriage, as a leſs holy ſtate than the celebate. by which means many ſhocking, enormous villainies have been perpetrated; too horrid for an human eye. *

* La loi du celebat a cauſé bien des maux et a introduit dans le monde et dans l'egliſe une infinité de crimes et d'abominations. *Oſtervald's* traite l'impurete. Sect. III. Cap. III. Art. 8.

To ſuppoſe the holineſs of men as ariſing from a ſelf-denying neglect of a divine inſtitution, is no ſmall abſurdity. had fanatics been able to ſhew that matrimony was not ordained till after the fall of man, ſome ſhadow of triumph might be allowed them. as it is, the placing holineſs merely in abſtaining from marriage, may bear ſome reſemblance to the abſurdity of puniſhing *Judaiſm* with death, at the very time the very perſons pay a ſupreme homage to a *Jeweſs!* witneſs, the *Popiſh* inquiſitors.

Men may be ſo circumſtanced as that a ſingle life will be to them moſt eligible. the *evil* there is in celebacy is the making it meritorious; a ſtate of ſuperior purity; and a qualification for the kingdom of God! — I pretend not to ſay, there is any law of God or man, that obliges all individuals capable of marriage, to come under thoſe engagements. what I contend againſt, is, the *ſuperſtition* which appears in the church-ſenſe of celebacy.

The advocate for polygamy allows the new teſtament to ſay. "*if a man takes another woman, after an unjuſt divorce of his wife, he commits adultery; but if ſo, the wife has that right to the huſband, that he muſt touch no other. this is plauſible, and all that can be brought from the new teſtament which ſeems convincing; yet it will not be found of weight; for if the Lord deſigned to antiquate polygamy, ſo deeply rooted in the men of that age, he, or his apoſtles, muſt have done it more plainly.*"

Let

Let us examine how plainly he has done it, and not implicitely ſwallow the advocate's account of the matter. ſee *Matth.* v. 27, 28. *thou ſhalt not commit adultery. but if a man look on a woman to luſt after her, he hath committed adultery already with her in his heart. which is farther explained,* Chap. xix. 4, 5, 6. *he that made them at the beginning, made them male and female; and ſaid, for this cauſe ſhall a man leave father and mother, and cleave to his wife, and they twain ſhall be one fleſh. wherefore they are no more twain, but one fleſh. what therefore God hath joined together, let no man put aſunder.* Could the doctrine of monogamy be more plain and expreſs? adultery is the violation of the marriage bed. looking on a woman with luſtful deſire and intention, is unlawful in any man. *i. e.* having a laſcivious eye, with the deſire baſe and diſhonourable, in the gratification of which her virtue would be debauched, and her chaſtity ſacrificed.

The original inſtitution is propoſed to every chriſtian diſpoſed to marriage, as the invariable law and rule of his conduct. a law that effectually ſecures monogamy from all violence; *they twain ſhall be one fleſh*; and upon the conjugal ſociety, *they are no more twain; but one fleſh.* Is it poſſible theſe words can be ſo miſtaken as to be underſtood to mean, *they twain ſhall not be one fleſh?* yet polygamy would ſtamp this ſenſe on the words. one might indeed as reaſonably conclude, that *twain* intends, three, four, five, or fifteen. that *two* are

are equal to three; and that *three* are no more than one.

Dr. *Hammond* has thus paraphraſed, *Matth.* xix. 11. " all men are not capable of that prudential aphoriſm [that a ſingle life is more profitable and fit for their turn than marriage]. but thoſe only, whom God has ſome way more than ordinary fitted for it, by ſome *ſpecial gift.*"

This inſtance among others, ſhews, that whatever the Church has conſecrated, or ſtamped an holineſs upon, has been implicitely received and ſwallowed, even by learned men, without any examination. do any need the *ſpecial gift* of God to qualify them for rejecting an inſtitution of his own, deſigned for all men? — or, ſhould not the Dr. rather have thus commented on the text? all men are not diſpoſed to attend to the law of marriage, tho' it is the only method in which God would have mankind propagated. he never encouraged polygamy or divorce; but by his own inſtitution *he made two to be one fleſh.* — he firſt made woman out of the man, an helpmeet for him; or as the *Hebrew* word *kenegdo*, like to him; whereby marriage is moſt effectually recommended to all mankind, as founded in nature; and as the re-union of man and woman." *

The advocate for polygamy will even allow, " *that monogamy is the moſt perfect coalition of friendſhip and intereſt.*"

* *Patrick* comment. in loco.

Polygamy ſhould not then be countenanced among reaſonable creatures, who are enjoined the *perfecting of holineſs*. and we chriſtians know, that this is the will of God, *even our ſanctification*. that we *abſtain from fornication*: and every of us poſſeſs his veſſel [body] *in ſanctification and honour, not in the luſt of concupiſcence*; like the *Gentiles, who knew not God*. and to avoid fornication, every man is to have his *own wife*, and every woman her *own huſband*. but polygamy will not admit of every man having his own wife, and every woman her own huſband: it is not reconcileable herewith. — finally, there is ſomething ſo ſingular and pure in the conjugal affection, that it is compared *to the love which Chriſt bears to his church*. under which ſimilitude, *every chriſtian huſband is to love his wife even as himſelf; and every chriſtian wife is to reverence her huſband*. is it poſſible that any thing can be ſaid more repugnant to polygamy? can a man love more than one wife, at one and the ſame time, with this pure affection, *even as himſelf?* or any woman ſo reverence her huſband? "there is not any thing involved in the doctrine or precept; it need not be ſought out, as it has been ſaid, by the ſecret of logic, neither are there any dark words uſed about it." both polygamy and divorce, except in the caſe of adultery, are condemned in the very letter and ſpirit of the new teſtament writings; tho' they were practiſed both by *Jew* and *Gentile*.

CHAP.

CHAP. III.

Obſervations moral and political.

Obſ. I. THE original inſtitution of marriage, as expreſsly recorded by *Moſes*, is a moral proof of the divine authority of his hiſtory. for, the hiſtorian does not model his account of the matrimonial inſtitution from the practice of the Patriarchs, nor from the cuſtom of his own times; but in contradiction to both. no popular, nor political ſcheme guided the pen of the *Jew* lawgiver in recording the original law. on the contrary, a perfect knowledge of God's deſign, and of the voice of providence about this ordinance, are obvious in the very face of the account. it ſtands perfectly clear of all prieſt or kingcraft. and *Moſes* himſelf practiſed upon this original law; for he had no wife but *Zipporah.* — an example worthy the imitation of every legiſlator.—

According to *Cooper*, in his entertaining *life of Socrates*, the purity of the matrimonial law, was ſtrictly obſerved by that great philoſopher, 400 years before Chriſt, who had no wife but *Xantippe.* *

Obſ. II. The ſenſe which *Jeſus* has given of the inſtitution, purged away the obſcurity

* See his note, p. 157.

which the luſts of men had brought over it; and leaves all inexcuſable who have the goſpel, and yet will not ſee their duty. he allows of no divorce, but from a defilement of the marriage-bed. the pandect of the canon-law ſurely cannot invalidate his authority, or enervate the reaſon on which he has thus delivered his judgment.—the univerſal order, peace, and happineſs of ſociety, are beſt promoted by his ſenſe of the law; therefore to repeal it, becauſe of *ſpecial* inſtances, is as great an abſurdity, as it would be in civil ſociety, to repeal a ſtatute law, highly conducive to the weal of the public, becauſe of ſome particular perſons who would be aggrieved by it.—the delicacy moreover with which *Jeſus* delivered his ſenſe of the original law, conveys an idea of his wiſdom and conſummate knowledge. and we may add, when the plainneſs of the goſpel morals is compared with the beſt ſyſtems or pandects of law, an ingenious judicious eye will diſcern its divine excellence.

Obſ. III. Marriage is not ſo properly a poſitive inſtitution, as it is a moral duty, ariſing from a law written on the hearts of the ſexes: I mean, the deſire implanted there by the very hand of nature; obliging where it is ſo implanted. "the inſtinct argues a more peculiar and earneſt care in nature, to have this inſtitution obſerved with the utmoſt ſtrictneſs, as the immediate cauſe of the ſafety and welfare of mankind: whilſt, diſtruſting, as it were, the bare force of reaſon, ſhe aſſiſts and ſeconds it with

with ſo violent an inſtinct, that men cannot, without great difficulty, bend the contrary way."— * there is an immutable reaſon in this law, whilſt the world continues what it is. and becauſe divine providence proportions the ſexes, nothing but a violation of this law can occaſion that injuſtice and cruelty ſeen in the neglect of ſome of the virtuous fair.—

Obſ. IV. From the ſtate of mankind, and the expreſs voice of the divine law, the appetite or deſire to the ſexes cannot be reaſonably indulged till the ends of it may be admitted: that is to ſay, it ſhould not be gratified before the man is capable of attending to the care of his offspring. and even then, the inſtitution allows not of ſuch gratification but within the ſacred limits of the conjugal union: ſince it is a contradiction to the original ſtatute, for any man to ſuppoſe himſelf at liberty to indulge in whoring or fornication. in ſuch caſe, he either joins himſelf to a debauched woman, and ſo becomes one body with her who is the ſtrange woman, *that forſaketh the guide of her youth, and forgetteth the covenant of her God!* or elſe, he is guilty of violating the virgin chaſtity, and thereby of expoſing her to neglect, ſhame, and inevitable ruin. in both which caſes there is a manifeſt inſult on truth. in the one, it is a criminal, diſhonourable proſtitution of his own body; in the other it is a double proſtitution and debauchery.

* *Puffendorf*'s law, &c. B. VI. C. 1. Sect. 3.

The

The due government and reſtraint of the appetite, is requiſite to the virtue and glory of the youth. it muſt be done, till he arrives at proper age, and can enter the conjugal ſtate with probable views of being comfortable and happy in the union. in entering on this alliance, as a reaſonable creature, he ſhould not merely conſult the appetite; but he ought to diſcern a ſuitableneſs of temper and circumſtance, in order to gain the probability. a contract ſincerely made, upon mutual profeſſions of love and eſteem, will leave no room for after-reproaches.—in truth, the marriage tie is of too intereſting a nature to be contracted without ſome deliberation. prudence, at leaſt, ſo much thoughtfulneſs ſhould be exerciſed, as to canvaſs the nature and deſign of the union, and attend to its perpetuity.

A youth of *fourteen* has uſually the capacity, upon trial, of knowing whether the trade to which he is put, is likely to be agreeable to him, or not; and he can alſo form ſome notion of the term of his indenture. he is to reckon upon it as the ſeaſon of his educating for that labour and commerce or intercourſe with man, upon which his own future ſupport and uſefulneſs will very much depend. leſs thoughtfulneſs and care ſhould not ſurely be admitted at a more mature age, and in an engagement which concerns his moſt intimate ſocial delight, the ſecurity of his confidence; yea, the very being and well-being of poſterity. — *Plutarch* in his life of *Lycurgus* obſerves, " that the moſt proper allurement to marriage, is the ſweet con-

conſtraint and unſophiſticated dictates of nature, from that myſterious agreement and ſympathy of minds which alone can make men happy in a married ſtate."—thus it appears, that the inſtinct in and of itſelf does not make the duty neceſſary; but other relative circumſtances muſt have their weight in this determination.

Obſ. V. Perſons in the conjugal ſtate, appear to be indiſpenſably obliged to unity in affection, as well as perſon. the diſgrace, the obloquy brought on the holy ſtate of matrimony, from diſcordancies, jarrings and contentions, are a very wide occaſion of painful reflection. yet, it is not poſſible to conceive of greater abſurdity, than ſuch diſagreements, where the intereſts are mutual and inſeparable. and one may conclude upon it, that where-ever the huſband or the wife takes pleaſure in diſcompoſing the mind, and breaking the peace of the other; there is an infatuation equal to that of phrenzy or madneſs: becauſe the conſequences muſt unavoidably have an effect upon their own happineſs.—if it does not bring on their preſent ruin, it is a negative on their virtue, and determines them unworthy the approbation of their maker.—In all inſtances, where there is an offspring, there is not any thing can bid fairer for entailing a curſe on the riſing family.—the *Spectator* has finely deſcribed the happy marriage thus, "where two perſons meet and voluntarily make choice of each other, without principally regard-

regarding or neglecting the circumſtances of fortune or beauty. theſe may ſtill love in ſpite of adverſity or ſickneſs: the former we may in ſome meaſure defend ourſelves from, the other is the portion of our very make. when you have a true notion of this paſſion, your humour of living great will vaniſh out of your imagination, and you will find love has nothing to do with ſtate. ſolitude, with the perſon beloved, has a pleaſure, even in a woman's mind, beyond ſhow or pomp." * But there is another paper, in which he obſerves, " the married condition is hardly ever unhappy, but from want of judgment or temper in the man. the truth is, we generally make love in a ſtyle, and with ſentiments very unfit for ordinary life: they are half theatrical, half romantic. by this means we raiſe our imaginations to what is not to be expected in human life: and becauſe we did not before-hand think of the creature we were enamoured of, as ſubject to diſhumour, age, ſickneſs, impatience or ſullenneſs, but altogether conſidered her as the object of joy, human nature itſelf is often imputed to her as her particular imperfection or defect.— the rule to be obſerved in the matrimonial life, is, to preſerve always a diſpoſition to be pleaſed.—when the affection is well placed, and ſupported by the conſideration of duty, honour, and friendſhip, which are in the higheſt degree engaged in this alliance, there can nothing riſe in the common courſe of life,

* No. 149.

or

or from the blows or favours of fortune, in which a man will not find matters of ſome delight unknown to a *ſingle condition.*†

Obſ. VI. Whoring and polygamy are baneful to ſociety; becauſe deſtructive of order and rectitude. if viewed juſtly, they would be deteſted by the human, the brave, the generous! for lying, theft, and murder are as capable of defence. concubinage, keeping, whoring, debauch the mind; lead into expenſive meaſures, and make men diſhoneſt.— that reſpect, that veneration due to human nature, can never be paid by thoſe who contemn the precept, *thou ſhalt not commit adultery*.—The delicacy obſerved among the ancient *Greeks*, reſpecting the reputation of the female chaſtity, may be ſeen in *Oreſtes* convincing *Iphigenia in Tauris*, that he was her brother,

——————— one token more,
of what myſelf have ſeen, I will produce.
In thy apartment ſtands the ancient ſpear
of *Pelops* ———

Upon which Mr. *Weſt* concludes, "that the *Grecian* women, eſpecially virgins, were kept with great ſtrictneſs and reſerve in ſeparate and retired apartments, into which no man, except their neareſt relations, ſuch as fathers or brothers, were permitted to enter." *

† No. 479. * See his tranſlation, p. 186.

The apartments, the lodging rooms of the chaſte virgins were held ſacred. It is every where a mark of bravery and true generoſity, in men, to be found the guardians and protectors of the virgin's moſt valuable poſſeſſion; rather than that of baſely enſnaring, deluding, or ſurprizing and diſpoſſeſſing her.

Whoring and polygamy, have an ill aſpect on the care of infants, and on their proper education. parents ſhould unite in a concern for their intereſts. but that very mutual concern depends on a confidence that they are the offspring of faithful embraces. and though this cannot have place where there is no ground for the confidence; yet the weal of a people much depends on a virtuous education of children, and no ſyſtem of laws whatſoever can ſupply the want of it. the buſineſs of every ſeſſion at the *Old Bailey*, would give an illuſtration of this remark.—the latitude taken in the above reſpects, violates, and then diſcharges that native, pure, unitive principle which ſupports the happineſs of conjugal ſociety.—civil policy would of itſelf direct the magiſtrate or miniſters of ſtate, if honeſt, to diſcourage all irregular intercourſe of the ſexes; and to conſult every method of encouraging regular marriage. for the end of government is ſadly neglected, where other conjunctions have the public connivance.—our fine gentlemen of liberal education value themſelves much upon their acquaintance with the opinions and practices of the antients: even ſome, who ſcruple not to take great liberties! and yet, the antient *Greeks* held

held marriage neceſſary to ſupport the reputation and honour of the human race; "becauſe upon the point of extraction of the candidates for the *Olympic* games, the *Eleans* were ſo very ſcrupulous, as to admit none, who could not declare his father and mother, and ſhew that there was no baſtardy or adultery in his lineage.—which, in all probability, was the reaſon or ground of that law by which the candidates were required to enter, together with their own names, thoſe of their fathers, and of their country." *

It gives one pleaſure to think, the *modern unbeliever* cannot call this a ſupernatural, or a doctrine of revelation. it ſeems not to have been any other than a ſcheme of policy, built on wiſe obſervation, on truth and nature; coincident with the deſign of thoſe public games, which had many civil advantages in view.—ſuch as rendering men more capable of public ſervice—inſtigated to ſuch labors and conflicts from the lure of public applauſe! at the ſame time, the victor was accuſtomed to ſacrifice to the gods, he invoked the muſe to celebrate their praiſe.—whence came theſe inſtitutions? —are they allowed to give us the moſt advantageous idea of the *Pagan* world?—with what face can men violate and trample under foot the ſenſe of the politeſt heathen, as well as the inſtitution of the divine oracle itſelf—? but if marriage be ridiculed, becauſe a doctrine of revelation, the ſame ridicule faſtens on the

* *Weſt* on the *Olympic* games, p. 116.

ſenſe of *Greece*, given in the ſummit of her wiſdom, virtue and glory.

What great obloquy and reproach fixes upon *Britons!* not *pagan*, not *mahommedan*, not popiſh, but chriſtian; and yet accuſtomed in adultery and whoredom, in uncleanneſs and groſs impurities; in all the infamous trade of bawding and pimping. and this too, from the great, even down to the day-laborer!—!

But as all human laws, calculated to ſecure property, and preſerve order, have their perfection in the degree that they have the divine law, or reaſon as the baſis of them; ſo every indulgence of the great, which would deſtroy the foundations laid by God and reaſon, are ſo far from deſerving imitation, that they merit our warmeſt indignation! however, the face of example is ſuch, that the vitious practice of men in high ſtations, ſpreads its poiſon ordinarily very wide in the community. but thoſe men are very unjuſtly deemed true-patriots, whatever their rank, who ſcandalouſly endeavour to deſtroy the public virtue.

Would *Britons* univerſally conform to the eternal law, in this article of chaſtity, encouraging matrimony, diſcouraging whoring and ſodomy; in ſuch reformation of our manners, it would ſoon be obvious, *that God has made man upright:* and that the wretchedneſs and diſorder which now ſpreads over us, was entirely owing *to our having found out many inventions.*

Obſ.

Obſ. VII. The placing of holineſs in celebacy, proves the dotage of the world.—in the priſtine ages it was never ſo thought of. under the *Moſaic* conſtitution it was altogether reproachful. the caſe of *Jepththah*'s daughter, I underſtand as an inſtance of celebacy being an abomination. ſhe ſeems to have been made a curſe, by her father's devoting her to the celebate life. it is a leſs ſhocking ſenſe than that of his offering her a burnt offering, *Judg.* xi. 31.—*Shall ſurely be conſecrated to the Lord, or I will offer it up a burnt offering.* many good critics have obſerved the *Hebrew* particle, *vau*, rendered *and*, would here be better expreſſed by the diſcretive particle, *or*.

This reading and ſenſe is more agreeable to the air and ſpirit of the hiſtory.—*Jephthah*'s grief had its pointings from her being his only child. hence, from her perpetual virginity, his family would be extinct. and her aſking two months on the mountains to bewail her virginity, [not the loſs of her life, but her virginity] that is to be perpetuated, was a proper meaſure taken to confirm and eſtabliſh her reſolution; having ſolemnly put herſelf under the obligation of her father's vow.

His doing with her according to his vow: I preſume could not mean putting her to death; for human ſacrifice was hateful to God; and was in itſelf inhuman! but *he did with her according to his vow; and ſhe knew no man.* here what he did is explained, and how the emphaſis lies. his vow prevented her marriage. the

ſenſe

ſenſe becomes yet more conſpicuous, from the cuſtom of the daughters of *Iſrael*, going annually to confer with and conſole *Jephthah*'s daughter, four days in the year. ſo the critics, *ad conſolandum—ad alloquendum—ut diſſererunt —ut colloquerentur cum filia Jepthhthæ.* if they conferred with her yearly four days, ſhe muſt then be living. Dr. *Patrick* takes notice that ſome interpret the *hebrew* word *Thannoth*, to diſcourſe with her; and cites *De Dieu*, as underſtanding the offering only to mean, her being ſeparated from men, and devoted to perpetual virginity.

If it be ſaid the vow ſo underſtood was illegal. I ſee no inconvenience in granting it was ſo. the hiſtory ſais nothing either in praiſe of *Jephthah*'s vow, or his performance of it. and admit that it was ever ſo much contrary to the ſenſe of the *Moſaic* law, who could diſpute it with their judge and general, a martial man, who had juſt obtained a ſignal victory over their enemies? and moreover, in the performance of the vow, ſo underſtood, he himſelf perhaps ſuffered the moſt from it: at fartheſt, only he and his daughter felt the painful weight. there is, however, a ſhining inſtance of filial piety in her ſubmitting to the reproach, for the peace ſake of her aged father.—

The hiſtory, thus underſtood, preſents us with a lively picture of the deteſtation the *Jews* had of celebacy. and indeed among the miſeries which befel their nation, this is mentioned as one, *the fire conſumed their young men; and their maidens were not given in marriage,*

Pſ.

Pſ. lxxviii. 63. chriſtianity cannot change or alter the nature and truth of things. ſo that ſanctity placed in celebacy muſt be, what it ever was, a vile poſition. celebacy, when preferable to marriage, ought to have reaſons ſubſiſting of another nature than the religion of the thing: for in no one inſtance among the ſons of *Adam*, can it plead merit on its own account, or make the leaſt pretenſion to ſuperior purity.

The learned and judicious Dr. *Lardner* has amply ſhewn, that this miſtake became a part of the *Manichean* ſyſtem, which had place towards the end of the 3d, or beginning of the 4th century—" their elect were forbid to marry, and were required to forbear eating fleſh and drinking wine.—but their auditors, the ſecond order among them, they did not hinder from marrying and having wives.—however marriage in the auditors, was rather tolerated than approved in the *Manichean* ſcheme. for they thought they would need a purification." but no wonder, " for notwithſtanding their great pretenſions to reaſon and ſcience, they did not eſcape ſuperſtition.— they had numerous rites, and there was not a ſect that rendered themſelves more miſerable by affected auſterities than the *Manicheans.*" *—thus ſais that impartial and uſeful hiſtorian.

Celebacy choſen under the idea of purity, is an egregious perverſion of truth. vows of it made by perſons only as religious obligati-

* *Credib.* Part II. Vol. VI. p. 225, 258, 264, and 418.

ons

ons are the moſt ſtupid compliments that can be paid the deity, expreſſing contempt of an inſtitution of the God of nature. an infatuation that could never have exiſted, but from the wildneſs of an enthuſiaſtic ſuperſtition. an elated clergy that ſcrupled not to enjoin whatever ſubmiſſions could be made to their pride, vanity, and worldlineſs, have nurſed and reared, if they did not at firſt beget the impoſture.—the bare letter of a text has been uſed in ſupport of the celebate: *theſe are they which were not defiled with women, for they are virgins.* tho' it evidently means ſuch who had not gone into idolatrous cuſtoms, nor admitted of baſe, effeminate corruptions of the true religion. for every revolt to idolatry was ſtiled by the prophets, *whoredom and fornication.* and very pertinently, ſince idolatry encouraged thoſe bodily proſtitutions. the purity or virginity imports a ſteddy adherence to the doctrines of *Jeſus*, in a time of great degeneracy and apoſtacy.

Diodati on *Luke* ii. 36. thus writes, "this ſeems to be added for to ſhew this woman's great chaſtity and devotion: who being left a widow in the flower of her age, had continued in her widowhood to dedicate herſelf wholly to works of piety in the temple, according to the manner of holy women in thoſe days." —but very unluckily for him, he refers to 1 *Sam.* ii. 22. where we are told of the prieſt's *lying with the women who aſſembled at the door of the tabernacle.*— what he ſais of *Anna* may be no more than imaginary; for her living with

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an (one) huſband ſeven years from her virginity, will as well ſignify or intend ſeven years from the time of her marriage being conſummated. for the age of life when ſhe married is not ſpecified: and ſhe might have been thirty or forty, or more years old, when ſhe married. nay, for aught we know, ſhe might be paſt the age of child-bearing when her huſband died. ſhe was now, when the hiſtorian makes mention of her, a widow, and her age eighty-four years. not eighty-four years ſince ſhe buried her huſband. in theſe circumſtances ſhe was juſtifiable as to her remaining a widow: and as ſhe had the prophetic ſpirit, the temple was a proper place for her habitual reſort. but then, the temple was not a nunnery. there is not, upon the face of the account, any thing in the life of *Anna* that countenances the aſcetic; tho' it is ſaid ſhe remained a widow under ſuch circumſtances.

A female author, of fine taſte and genius, has painted the vow of celebacy as acceptable to God. thus, *in letters from the dead to the living*, "the Lady who had died in the convent at *Florence*, is made to tell her lover, that, notwithſtanding her love-paſſion had been violent, yet her vow of chaſtity ſaints and angels had heard, the all-ſeeing ſkies were invoked to witneſs the chaſte engagement; it was ſealed above, and entered in the records of heaven. —and ſhe had reſolved never to attempt an eſcape from the holy retreat, to which her vows had confined her: but rather to fall a victim to the ſacred names of chaſtity and

truth. — and that heaven accepted the ſacrifice." *

But how miſtaken the imagery! this kind of vow muſt even have been hateful to heaven, as it militates with truth. heaven may pity and forgive the error, but can never approve the ſacrifice.—the paſſion to the ſexes is purely natural; it every way becomes the dignity of reaſon, the ſanctity of religion, and the grandeur of the human mind improving for immortality. there is a pleaſure in the unadulterated conjugal affection, peculiarly intereſting and ſolacing.

Obſ. VIII. Popery cannot be the true religion! it is demoniſm and not chriſtianity; becauſe it teacheth men to deſpiſe the commandments of God. it has placed holineſs in a choſen neglect and contempt of God's inſtitutions. — popery encourageth whoring, and diſcourageth matrimony. what God has ſanctified, ſhe calls prophane. what he has condemned, that ſhe has approved. popery is the quinteſſence of abſurdity and contradiction. it exalts *Peter*, gives him the keys, as if *ſuperior* to all the other apoſtles; makes him a firſt rate ſaint, notwithſtanding his marriage. in the ſenſe of this church, one would have thought, matrimony might conſiſt with the moſt exalted purity of the ſons of *Adam*: for *papiſts* have derived even their *infallibility* from this prince of the apoſtles, tho' he continued, during his apoſtle-

* Letter IV.

ſhip,

ſhip, in the holy ſtate of matrimony! 1 *Cor.* ix. 5.—the *Pope*'s obligation to celebacy is not from the authority of St. *Peter*, nor in imitation of his example; but muſt be a magical refinement made upon his excellency. and whoring *ad libitum*, in the ſenſe of the pontiff, is a degree of chaſtity much *ſuperior* to the indulgence of wedlock.—they ſtupidly enough pretend to miracles, wrought in ſupport of the celebate life.— but what kind of veneration can poſſibly be due to the recluſe monk, uſeleſs to his generation? what to the cooped-up nun, whoſe days have been breathed or yawned over in an unnatural retirement from man, *for whom ſhe was made*, 1 Cor. xi. 9. bred up in an aukward hypocritical averſion to the conjugal ſtate? ſo far from becoming the *glory* of the man, ſhe has withdrawn from the ſtation, by nature, appointed for her: and in this retirement has been the ſcandal of her ſex.

An excellent writer, in his *remarks on the Jeſuit Cabal*, ſais, "the number of monks in the church, was wholly owing to the zeal of thoſe fathers, who made it their buſineſs to recommend and extol the monaſtic life, as the perfection of the chriſtian life, and the very pattern of an heavenly one. theſe monks lived alſo then (*i. e.* in the fourth century) as they do now in monaſteries, founded for their ſole uſe and reception, and under a ſolemn profeſſion or vow of perpetual chaſtity; voluntary, as we may imagine at firſt; till, by their frequent violations of it, they were gradually tied down by more ſtrict and forcible reſtraints. and

if they did not immediately encroach on the rights of others, and engroſs their eſtates, and become tools of the *Popes*; yet ſuch effects were ſure to follow from the very nature of their inſtitution: for it is not poſſible, that ſuch numerous ſocieties of crafty, ambitious ſpirits, recommended by a reputation of wonderful ſanctity, could long ſubſiſt without acquiring both rights and eſtates, and attaching themſelves to that power, which was the beſt able to protect them in ſuch uſurpations. and we find accordingly, that they made it their care, from the very beginning, to ſeduce the heirs of rich families into their monaſteries, againſt the will, and to the utmoſt grief of their parents, and to conceal them there, from the knowledge and the ſearch of their friends. nor are we to ſuppoſe, that any of their late encroachments are derived from any written ſtatutes or rules, by which modern monks are governed, in diſtinction from the antient; but from ſuch acts only as experience would teach of courſe, and tacitely preſcribe to all ſocieties of the ſame kind." *

The celebacy of the *Romiſh* clergy, has, can have no better ſupport than that of its preſerving their independency, and availing them of certain dominion over the properties and conſciences of men. every end dangerous to civil ſociety is promoted, and not a ſingle good one ſecured thereby. the oppoſition in which it ſtands both to the laws of natural and revealed

* Pages 103, 104.

religion,

religion, is very direct. for ſais *Puffendorf*, "it is a great abſurdity to imagine that God almighty is delighted with ſuch inventions of men, ſuch inſtitutions and ways of living, as are diſagreeable to human and civil ſociety, as it is tempered by the dictates of reaſon and the laws of nature." * — in another place he ſais, "it appears, that not only thoſe perſons do live in a ſtate repugnant to ſound reaſon, who maintain themſelves by robberies and villainies; but thoſe too, who withdraw themſelves unneceſſarily from the common duties and offices of life: ſuch are the modern hermits and monks, as well as ſome of the antient philoſophers." † the inſtitutions of *Rome*-papal do reverſe, in the monaſtic life, the natural order of things. ſo the above celebrated writer on the law of nature and nations, ſais, "it is more agreeable to nature, for a man to undertake all ſorts of labour and trouble for the ſervice and conſervation (if it were poſſible) of the whole world, than to live in ſolitude, not only free from cares, but in the midſt of the greateſt pleaſures. thoſe wretches are worthy of the utmoſt deteſtation, who regard only their private intereſt, and neglect the common good of mankind; as if they were born for themſelves alone, and not for an innumerable ſociety, for their parents, their wife, their children, and in general for all the world." §

* Book II. C. IV. Sect. 4. † Ibid. Sect. 15. § Book III. C. III. Sect. 1.

Homo

Homo ſum, humani nihil a me alienum puto : is a good maxim. and it is indiſputably for the honour of the new teſtament moral, that it every where inſpires and inculcates the generous, the univerſal benevolence : and condemns nothing more than the narrow, contracted, miſtakenly ſelfiſh ſpirit. — what are called religious recluſes, " are uſeleſs burdens to the earth, who, under pretence of religion, ſtudy only the improvement of a fat carcaſe, and in a lubberly lazineſs conſume the fruits of other men's labours. ſo the monaſtic brethren, ſais *Zozimus*, abſtain from wedlock, and fill city and country with numerous ſwarms of men, uſeful neither for war, nor for any other ſervice of the common-wealth. yet they have purſued their deſigns with ſo much ſucceſs from thoſe times unto the preſent age, that they have engroſſed to themſelves the greateſt part of the lands and eſtates ; and, under colour of communicating all things with the poor, have reduced almoſt all others to poverty." * — here is ſome figure, but much more literal truth in the account.

In the papal church the conſecration of celebacy has been pregnant with theſe two evils, fornication, and the murder of infants, the fruit of unhallowed embrace. when *Henry* VIII. ordered a viſitation of the monaſteries here in *England*, *A. D.* 1535. *Burnet* obſerves, " for the lewdneſs of the confeſſors of nunneries, and the great corruption of that ſtate, whole houſes being found all with child ; for the diſſoluteneſs

* Book III. C. III. Sect. 2.

of

of abbots, and the other monks and friars, not only with harlots, but married women, and for their unnatural luſts and other brutiſh practices, theſe are not fit to be ſpoken of." —*

Fuller, in his church hiſtory, ſais, " that the priory of *Chriſt's-church* near *Aldgate* was firſt and ſolely diſſolved: — but that all the other abbeys afterwards were *ſtormed by violence* — he complains of the *preamble* which ſhewed the reaſons of the diſſolution; and ſais, that *ſmall houſes*, like little fiſhes, could not be caught with the net of the reformation—except by ſuppreſſing their foundation, p. 311."

Burnet ſais, " the firſt houſe that ſurrendered to the King was *Langden* in *Kent*; the abbot was found in bed with a whore, who went in the habit of a lay-brother." *abridgment*, p. 150. — yea, it appears that unnatural luſts in both ſexes, were occaſioned by celebacy.

But proviſion was made to eaſe the conſciences of ſuch ſinners, for as *Monſieur Bayle* has ſhewn, in the article *Banck*, n. (*B.*) the taxes of the *Romiſh* chancery, printed at *Rome*, *A. D.* 1514. at *Cologn* 1515. at *Bois-le-duc*, 1664. at *Paris*, 1530. and an edition at *Franeker*, 1651. —that tho' the article of *inceſt* is miſſing in the edition of *du Pinet*, yet there are found, " the abſolution and pardon of all acts of fornication committed by a cleric, in what manner ſoever, whether it be with a nun, within or without the limits of the nunnery, or with his relations, in conſanguinity or affinity, or with

* See his hiſtory of the reformation, Vol. I. p. 191. and *Rapin* Hiſt. of *E.* Vol. I. p. 807, folio.

his

his god-daughter, or with any other woman whatſoever; and whether alſo the ſaid abſolution be given in the name only of the cleric himſelf, or of him jointly with his whores, with a diſpenſation to enable him to take and hold his orders, and eccleſiaſtical benefices, and with a clauſe alſo of inhibition, coſts thirty-ſix turnois, * and nine or three ducats. and if beſides the above, he receives abſolution from buggery, and the crime againſt nature, altho' committed with brute beaſts, with the diſpenſation and clauſe of inhibition, as before, he muſt pay ninety tournois, twelve ducats, and ſix carlins. † but if he only receives abſolution from buggery, or the crime againſt nature, and committed with brute beaſts, with the diſpenſation and clauſe of inhibition, he pays only thirty-ſix turnois and nine ducats.— a nun having committed fornication ſeveral times within and without the bounds of her nunnery, ſhall be abſolved, and enabled to hold all the dignities of her order, even that of abbeſs, by paying thirty-ſix turnois, and nine ducats. the abſolution of him who keeps a concubine, with diſpenſation to take and hold his orders, and eccleſiaſtical benefices, coſts twenty one turnois, five ducats, and ſix carlins."

So highly adapted is popery to pamper the luſts of men!

Some chriſtians, who make the ſcriptures the rule of their faith and practice, have ima-

* *Tournois*, a *French* penny, the tenth part of a penny ſterling. † Ducat, uncertain, 5 s. or 6 s.—Carlin, an *Italian* coin worth 40 quadrins, the fourth part of a ſol.

gined,

gined, that St. *Paul* has forbidden the clergy having more than one wife; which they ground upon 1 *Tim.* i. 2. and *Tit.* i. 6. where *a biſhop muſt be the huſband of one wife.*—ſuch have thought that, upon the death of his wife, he might not marry again. but ſurely this would be unworthy the ſenſe of the apoſtle, who could not but know that, in many inſtances, the reaſon for a ſecond marriage would be every way as forcible as for the firſt. *e. g.* where the death of the wife was ſoon after marriage, or in the prime of the huſband's life, and without any iſſue by her. they ſeem to have thought juſtly on this inſtruction who reckon it has alluſion to the cuſtom of divorce. a Biſhop muſt not be a man who practiſed divorce, and lived in wedlock, the divorced wife yet living. *

Celebacy, is not an apoſtolical inſtitution. it is a doctrine of *demons*, which prohibits marriage in any order of men. it is the nurſery of pride, ambition, revenge; which have ever been fed and nouriſhed by this ſeparation and inconnection with ſociety. it is calculated to bring about an independency on the ſtate: and probably was the occaſion of the corrupt clergy, at firſt, taking it into their heads, that they were the embaſſadors of God, and not accountable to the civil magiſtrate, or puniſhable by him.

Bower, in his very good *hiſtory of the popes*, juſtly remarks, " that young women are al-

* See, on the place, a paraphraſe in imitation of *Locke*'s manner.

lowed to take the veil of virginity at the age of ſixteen ; that is, they are allowed to diſpoſe of themſelves for life, when they are not yet thought capable of diſpoſing of any thing elſe ; to vow perpetual virginity, when they can ſcarce underſtand what they vow ; at leaſt, when they can have but a very faint idea of the difficulties of keeping it through their lives." *

What was true of the *Pagan* prieſts, is applicable to the popiſh, " among other arts to divert the attention of mankind from the knowledge of truth, they have conſtantly amuſed their minds with inexplicable things, where the human underſtanding being plunged into an unfathomable deep, could never emerge into the light of reaſon." † the religion of truth, pure and undefiled, they have proſtituted to the baſe end of uſurping an arbitrary, uncontrouled and the worſt of tyrannical dominion over their fellow men. an obſervation of the ſame writer's on the *Pagan*, will ſerve to ſhew how this is effected by the popiſh ſuperſtition. " the hierachy is enthroned on the higheſt pinacle of ſacerdotal grandeur, and the ſanctimonious obedience of the people have thoroughly transferred the ſight of the underſtanding into the eye of faith, that whilſt the one is totally darkened, and the other ſupernaturally illuminated, no abſurdity whatever in the form of worſhip, in the multiplicity of

* Vol. II. p. 122. † *Cooper's* life of *Socrates*, p. 65.

deities,

deities, or in the wild and blaſphemous opinions of the divine nature are too groſs to be reconciled to the mind by the friendly interpoſition of faith, when uſhered in under the venerable name of a religious myſtery. the ignorant are always fond of incomprehenſible words, and unintelligible grimace: having in religion, as in common life, a higher veneration for things they do not know, than for thoſe they do: fooliſhly imagining that the greater the contradiction is in religious affairs to common ſenſe, ſo much more it ought to be regarded as an awful myſtical concealment of the will of heaven." * by this method, in the *Roman* martyrologies there are preſented to us, " a mob of ignorant enthuſiaſts, who lived the life of uſeleſs fools, and died incendiary mad men." †

But is it not amazing, that thoſe flagrant evils with their very malignant effects ſhould not long ere this have been more generally held in deteſtation and abhorrence?— they ſhould be, by all men who have the leaſt regard to the dignity, the glory of human nature, or who wiſh well to ſociety.—but the prophecy is thus fulfilling, and men are intoxicated by having drank deep of the cup of her fornication. the earth has been, and yet remains corrupted by it. a ſwarm of prieſts are intrenched in their ſecurity; princes themſelves are under the debauch; the people by fear and

* *Cooper*'s life of *Socrates*, p. 172. † P. 173.

indo-

indolence are kept dozing, and tamely acquiescing in the established superstitions.—but this is our consolation, we may expect, that he whose judgments are true and righteous, will one day judge the great whore, *superstition*, that has corrupted the earth with her fornication; and that he will avenge the blood of his servants at her hand. *Amen. Alleluia.*

FINIS.